

MINUTES OF THE  
JOINT HEALTH AND HUMAN SERVICES APPROPRIATION SUBCOMMITTEE  
Friday, February 9, 2001  
Room 403, State Capitol Building

Members Present: Sen. David H. Steele, Committee Co-Chair  
Rep. Jack A. Seitz, Committee Co-Chair  
Sen. Edgar Allen  
Sen. Curtis S. Bramble  
Rep. Trisha Beck  
Rep. David L. Hogue  
Rep. David Litvack  
Rep. Rebecca Lockhart  
Rep. Carl S. Saunders  
Rep. Matt Throckmorton

Members Excused: L. Steven Poulton

Staff Present: Thor Nilsen, Legislative Fiscal Analyst  
Spencer C. Pratt Legislative Fiscal Analyst  
Norda Shepard, Secretary

Public Speakers Present: Rod Betit, Executive Director, Department of Health  
Dr. Scott Williams, Deputy Director, Department of Health  
Richard Melton, Deputy Director, Department of Health  
Rep. Karen Morgan  
Beverly May, American Cancer Society  
Jan Buttrey, Director, Emergency Medical Services  
Jill Langtrety  
Robin Arnold-Williams, Executive Director, Department of Human Services  
Sue Geary, Director, Division of Services for People with Disabilities  
Charles Proctor, Director, Division of Epidemiology and Laboratory Services  
Joann Nielsen  
Dr. Doug Gray  
Emily Nielsen  
George Delavan, Director, DFHS  
Ray Wahl, Juvenile Court Administrator  
Kim Hood, Governor's Office of Planning and Budget  
Steve Jardine, Governor's Office of Planning and Budget  
Mark Payne, Acting Director, Division of Mental Health  
Jack Tanner, Utah Behavioral Healthcare Network

Visitor List on File

Committee Co-Chair Steele called the meeting to order at 2:04 p.m.

**1. Approval of Minutes**

Rep. Hogue noted that on page 2, item 3 of the minutes of 2-07-01 he was identified as Sen. rather than Rep.

**MOTION:** Rep. Hogue moved to approve the minutes of 2-07-01 with the noted correction. The motion passed unanimously with Sen. Bramble, Rep. Lockhart and Rep. Throckmorton absent at the time of voting.

**2. Voting on Budgets**

**MOTION:** Rep. Hogue moved to consider recommended budgets for Health Care Financing, and Medical Assistance Program in the Department of Health, and Breast and Cervical Cancer Early Prevention Act funding for the priority list. The motion passed unanimously with Sen. Bramble, Rep. Lockhart and Rep. Throckmorton absent at the time of voting.

**3. Fees - Department of Health**

Analyst Spencer Pratt discussed the fees as outlined in the Budget Analysis Book on Tab 6, Pages 20, 21, and 22, for the Executive Director's Office. He explained that if a fee was changed or deleted it will be crossed out and the new fees or increased amounts are underlined. Mr. Pratt also discussed fees on Tab 7, Page 8, for the Veterans' Nursing Home; Tab 8, Page 20 through 27 for the Health System Improvement Division; Tab 12, Pages 23 through 30 for Epidemiology and Laboratory Services; and Tab 13, Pages 36 through 39 for Community and Family Health Services. Richard Melton, Jan Buttery, Jill Langtrety and Charles Proctor, from the Department of Health, answered questions from the committee regarding fees.

**4. Appropriations Request - Rep. Karen Morgan**

Rep. Morgan discussed H.B. 302, Tobacco Funding for Department of Health, which appropriates \$5.7 million from the General Fund to the Department of Health for FY2001-2 only, for alcohol, tobacco, and other drug prevention, reduction, cessation, and control programs. She distributed a sheet outlining Tobacco Prevention Budget Comparisons. She stated Utah is well below the national average in tobacco funding. She stated we sometimes think we have no problem in Utah, but 15% of students in high school between 12 and 15 are smoking. She stated that tobacco use takes a personal and financial toll. She stated the state is bringing in \$50 million from cigarette taxes and none of that money is currently being spent on tobacco prevention programs. She stated we should be able to spend \$5.7 million of that money to being the state up to where we should be in the tobacco prevention programs.

Beverly May, American Cancer Society, stated that tobacco use is the #1 preventable cause of death. She said that if 15% of high school students in Utah are smoking, that amounts to approximately 34,000 students. She reminded committee members that tobacco is the gateway drug which most often leads to other drug abuses. She stated that saving lives is important and Utah needs more money for tobacco prevention and control. She stated that if there were over 1000 people dying each year in Utah from an outbreak of measles, we would stop at nothing to control it. She stated that tobacco is taking a worse toll on our population and a leading cause of death.

**5. Supplementals**

In response to questions from committee members last week, Mr. Pratt distributed a handout answering questions on the Utah Medicaid Program, including an analysis of increased Medicaid expenditures, a comparison of Utah Medicaid expenditures with Arizona, Utah nursing facility rates geographic regional comparison, comparison of average NF rates for FY2000, and comparison of selected physician fees.

Supplementals were distributed for the Department of Human Services and the Department of Health to be placed in the Budget Analysis Book.

Mr. Pratt discussed the Department of Health requested Supplementals. The Analyst is recommending supplementals totaling \$1,350,500. A recommendation is made to reduce \$18,700 from General Funds from the current appropriation for the Department of Health as a result of rate reductions for services provided by the Department of Administrative Services. These are distributed throughout the division budgets where they are applicable. Mr. Pratt discussed the recommendation to allow for nonlapsing funds in the Division of Health

Systems Improvement and Division of Epidemiology and Laboratory Services. The Analyst is including a recommendation to consider increasing the budget for the Medical Examiner by \$200,000 for FY2002 due to increased workload, together with a FY2001 supplemental of \$100,000. A recommendation is made to consider \$340,000 of one-time General Funds for FY2001 for equipment replacement in the health laboratory. The Analyst is recommending that a one-time General Fund appropriation of \$100,000 be considered to fund a Youth Suicide Prevention Task Force. The analyst discussed the need to fund a one-time appropriation for the Utah Medical Assistance program. He also noted that some General Fund adjustments would be made within the department with no net effect to the General Fund.

Analyst Thor Nilsen discussed the Department of Human Services requested Supplementals. The Analyst is recommending a total negative supplemental for the current FY2001 of \$325,100, including a reduction of \$31,900 from the General Fund. This includes reductions for reduced rates charged by the state's internal service fund and the elimination of the \$200,000 appropriation from the Trust Fund for People with Disabilities for FY 2001. The Analyst is recommending a supplemental appropriation of \$945,000 from General Funds, if funds become available, for the Division of Child and Family Services, Adoption Subsidies. He noted this is half of what the Division requested. The State Hospital is requesting a supplemental of \$200,500 to provide for an on site psychiatrist to meet the requirement for one hour evaluations in seclusion and restraint as set by HCFA. The Analyst is recommending this appropriation be made if funds are available. He discussed the Intent Language on Page 4 and 5 requesting non-lapsing funds in the various divisions for specific expenditures.

Robin Arnold-Williams, Executive Director, Department of Human Services, and Sue Geary, Director, Division of Services for People with Disabilities, and Mr. Nilsen answered Rep. Throckmorton's questions regarding the number of FTE's and if funds for the waiting list were going to FTE's.

## **6. Intent Language**

Mr. Pratt distributed the Intent Language for the Department of Health. He stated that all items on the first four pages were included in last year's appropriations for this year. These are current items of intent. He stated that intent is similar to an appropriation in that at the end of the fiscal year, all the intent language loses its authorization. Therefore, if intent language is to be repeated, it must be reauthorized, reapproved, and put in the appropriation act again. No action is required if it is felt the language should not to be continued. Mr. Pratt discussed the recommendations for each section, which is indicated on the handout. On Page 5 is listed the proposed Intent language for the Department of Health for FY 2001 concerning nonlapsing funds.

Mr. Nilsen distributed the Intent Language for the Department of Human Services, stating it was a compilation of existing intent language, giving a reference to what appropriation act it originally appeared in. He discussed each item and the Analyst's recommendations and suggested amendments. He emphasized again that no action is required, unless you want to continue the language for FY 2002. If continuation is desired, then action must be taken.

## **7. Public Testimony**

Chair Steele indicated a request had been made to hear public testimony concerning supplementals in the area of Youth Suicide Prevention.

Joann Nielsen stated that because of her association with PTA over the years, she had attended many meetings and heard the statistics about youth suicide and was very alarmed, but until her son became one of the statistics, she did not realize the effect that each one of those statistics had on the lives of their families, their friends, and their communities. She urged the committee to please appropriate the funding for Youth Suicide Prevention. She stated she knows money alone won't cure the problem, but everyone must pitch in and help. She said it was

too late to help her family but it could be a tremendous help to others.

Dr. Doug Gray, an adolescent psychiatrist at the University of Utah, stated he was working with the Health Department, as well as many other Utah government agencies, to try to learn more about youth suicide. He stated it is the leading cause of death in Utah males between the ages of 15 and 4, which may be a surprising statistic to many people. He said they were asking for \$60,000 from the state as seed money for more research and \$40,000 to coordinator efforts throughout the state. He stated there will also be help from private sources.

Emily Nielsen stated she is a sibling of a suicide victim. She said she was the one who found her brother and that image will stay with her the rest of her life. She said it is not an experience easily forgotten. She stated it was a very difficult experience to go through for her and her family. When she returned to school, people would look at her and talk behind her back. She urged help so other families would not have to go this.

George Delavan, Director, Division of Community and Family Health Services, stated that this program would be administrated in his division. He stated that the target group for the study would be those involved with the juvenile court. They would use the requested \$60,000 to target that group, work with the local juvenile justice courts to identify, make assessments, and provide comprehensive services to help prevent suicides.

Ray Wahl, Juvenile Court Administrator, stated that the assessments that are going to be made will be on youth coming from the juvenile court system who will be in court custody at the time the services are administrated. He said the courts fully support this proposal and he pledged the support of his staff in working with Dr. Gray's staff and the Department of Health.

Chair Steele invited the governor's analysts to share any thoughts that they may have. Kim Hood stated she understood that the committee had dealt with many difficult issues during the last couple of week. She said she wanted to say how much she appreciated the analysts and the members of the committee for their interest and involvement in trying to gain understanding of these very difficult issues. Steve Jardine said he would echo Kim and stated he felt the committee has been a very good and attentive committee. He stated he felt sure the public also appreciated the committee's interest and concern as shown by the questions asked.

## **8. Prioritizations Lists**

Mr. Pratt stated that lists of recommended budget increases had been prepared and distributed for committee review. They are not in any priority order. Chair Steele stated that the approach this budget year is different from the past from the stand point of establishing priorities prior to the conclusion of committee work in appropriations. He explained that Executive Appropriations has allocated additional money to each committee. The allocation for the Health and Human Services Subcommittee was \$26,461,900 of on going money and \$2,255,100 for supplemental. He said the Chairs were asking committee members to go through both sides of the list and identify their top five priorities and then on Monday try to become a united voice to finalize actions of the committee.

Rep. Hogue requested that line 48, H.B. 47, Appropriations for Long-term Professional Development Programs for Disability Service, be referred to Executive Appropriations as it involves multiple departments. Rep. Beck asked if issues not taken care of in this committee would be heard further in Executive Appropriations. Chair Steele stated there would be a list made on those matters to present to Executive Appropriations. Rep. Seitz suggested to those who had presented bills in this committee to make sure their bills were also on the list in the House.

Chair Steele said there had been a request to discuss PACT. Mark Payne, Acting Director, Division of Mental Health, stated that PACT would allow them to deal with those severely mentally ill people who are not getting into services, and since they are under resourced, it would be used to deal with the most severely mentally ill. It

would also allow them to move people out of the state hospital and into services in the community more quickly. He said PACT would not impact the commitment process. He stated there may be a fear that it will make it easier to commit someone, but that is not so. It does not force people into commitment.

Jack Tanner, Utah Behavioral Healthcare Network, stated that people think PACT and civil commitment are the same thing. He said they are not, they are two entirely separate things. He explained that civil commitment involved a legal process and a court decision. PACT has nothing to do with civil commitment. PACT is an outreach program to enable mental health centers to extend services to those people who are, for example, in and out of emergency rooms all the time because they are not getting services. He said that PACT has the support of NAMI Utah.

**MOTION:** Sen. Allen moved to adjourn. The motion passed unanimously.

Co-Chair Steele adjourned the meeting at 4:17 p.m.

Minutes reported by Norda Shepard, Secretary.

---

Sen. David H. Steele  
Committee Co-Chair

---

Rep. Jack A. Seitz  
Committee Co-Chair